REMARKS/ARGUMENTS

Claims 1, 6-7, 10-11, 31, 50, and 66 are amended. Claims 4-5, 16-18, 20, 36-38, 47, 52-61, and 65 have been canceled. New claims 73-82 are added. After entry of the foregoing claim amendments, claims 1-3, 6-15, 19, 21-35, 39-46, 48-51, 62-64, and 66-82 remain pending in this application for examination.

Claims 1, 10, and 66 have been amended to call for storing financial account information in a player account database that is remote from the gaming machine and from the computing device, wherein the player account database is communicatively accessible by the gaming machine and by the computing device and claim 81 has been amended to call for wherein the controller is further programmed to retrieve financial account information stored in a player account database that is remote from the gaming machine and from the computing device, wherein the player account database is communicatively accessible by the gaming machine and by the computing device. Support for this amendment is found in at least Paragraph 0050 and FIG. 1 (e.g., player account database 40c). None of the applied references, alone or in combination, teaches or suggests this element.

Claims 1 and 82 call for configuring the gaming machine, the computing device, or the central server system to conduct the basic version or the enhanced version as a function of whether the game software is executed locally at the gaming machine or at the computing device, or executed remotely at the central server system, or executed locally and remotely and claim 31 calls for a programmer programmed to configure the central server system to conduct the basic version or the enhanced version based on whether the game software is executed locally at the gaming machine or at the computing device, or executed remotely at the central server system, or executed locally and remotely. Support for this amendment is found in at least the Abstract and in Paragraphs 0029-0031, and 0049. None of the applied references, alone or in combination, teaches or suggests this element.

Claims 1, 10, 31, 66 call for offering a plurality of wagering games including audiovisual content and game software for generating a random event, the audiovisual content including computer-generated image and animation data representing the random event. The office action asserts that Harkham discloses at page 9, line 18 generating a random event, which reads "The microphone 422 can be used to record the voices of the dealer 404 and physical players 406, and

sounds of the game such as ***the sound*** of cards being dealt or a wheel being spun." Sounds of cards being dealt or wheels being spun do not correspond to ***game software*** for generating a random event as claimed.

The office action alleges that Harkham discloses at page 30, lines 30-31, providing an award to the player for a winning outcome of the random event, but there is no such page and line number in Harkham. In any event, Harkham does not disclose providing, at the gaming machine, an award for a winning outcome of the random event for the first of the wagering games, wherein the first wagering game is offered on the central server system, the first wagering game including audiovisual content and game software for generating a random event, the audiovisual content including computer-generated image and animation data representing the random event. In the slot machine embodiment in Harkham, only *statistics* associated with the slot machines are sent by the server to the client device 102 (see FIG. 6 of Harkham and page 14, line 16 to page 16, line 24). Page 15, line 20 of Harkham mentions that a "virtual slot machine is simulated by a simulation computer." This lone statement without any teaching as to what the "simulation computer" is or where it is located does not anticipate the element of offering ***a plurality of wagering games*** on the central server system, the plurality of wagering games each including audiovisual content and ***game software for generating a random event***, the audiovisual content including computer-generated image and animation data representing the random event. Harkham in fact distinguishes between "the server" and the "simulation computer," and nowhere does Harkham even suggest that the virtual slot machine can be offered by the server (*see* page 2, lines 26-33, page 5, lines 3-9, page 10, lines 10-13 of Harkham). Even if it were, Harkham teaches that only "a" virtual slot machine is simulated by the simulation computer. Page 15, line 20. Even if the simulation computer were to correspond to the claimed "central server system," which it does not, there is no suggestion in Harkham that the simulation computer offers a plurality of wagering games, a first of which is conducted via a gaming machine and a second of which is conducted via a computing device remote from any land-based casino.

The office action alleges that Harkham discloses audiovisual content and game software for generating a random event, the audiovisual content including computer-generated image and animation data representing the random event. The office action cites the remote players being represented by avatars in a virtual game room at page 10, lines 1-9. Avatars do not correspond to

game software for generating a random event. Alternatively, the office action cites the camera images of the remote players on page 9, lines 12-21 as teaching game software for generating a random event. However, audio and video representations of players do not correspond to game software for generating a random event.

The office action cites page 8, line 30 to page 9, line 6 as teaching transmitting dynamically generated audio content to the player. Audio signals of playing instructions from the remote player do not correspond to audiovisual content including computer-generated image and animation data ***representing the random event.***

The office action cites page 9, lines 12-21 and page 8, lines 24-29, and page 10, lines 1-9 of Harkham as allegedly corresponding to a randomly selected and dynamically generated visual content. But images of a dealer, a card player, a remote player, or cards being dealt or avatars of physical players do not correspond to computer-generated image and animation data ***representing the random event.***

The office action alleges that Harkham discloses authorizing the computing device to access a second of the wagering games offered on the central server system, citing pages 14-15. As mentioned above, Harkham discloses a "virtual slot machine [that] is simulated by a simulation computer," but does not teach or suggest that this simulation computer is the same server that offers a plurality of wagering games each including audiovisual content and game software for generating a random event, the audiovisual content including computer-generated image and animation data representing the random event, and conducting the first of the wagering games via the player-operated gaming machine, wherein the audiovisual content for the first of the wagering games is presented at the gaming machine. Even if the simulation computer in Harkham were the claimed server, which it cannot be, the virtual slot machine would be conducted via the physical gaming machine, a nonsensical result. Indeed, Harkham teaches that in "one embodiment, the slot machines are virtual slot machines" and in "another embodiment, the slot machines are physical slot machines in the game center." Page 14, lines 18-20. It would be nonsensical for a virtual slot machine to be presented at a physical slot machine, a result implied by the office action's allegation that the simulation computer on which the virtual slot machine is simulated corresponds to the claimed server.

For at least the foregoing reasons, Applicants disagree that Harkham discloses the aforementioned elements of the independent claims. The office action concedes that Harkham

does not disclose audiovisual content including computer-generated and animation data representing the random event (page 2), but alleges that this element is disclosed in Cannon '378. Applicants respectfully disagree. It is noted that the office action refers to "downloading" such audiovisual content, but the independent claims under consideration do not recite "downloading." In any event, Harkham and Cannon alone and combined fail to disclose the claimed element as will be discussed more fully next.

Claim 1, for example, calls for offering a plurality of wagering games on the central server system, the plurality of wagering games each including audiovisual content ***and game software for generating a random event***, the audiovisual content including computer-generated image and animation data representing the random event. In Cannon's "voyeur" embodiment in which local players can "watch" games being played by remote players, e.g., col. 29, ll. 17-26, the game software for the game being watched is not offered on a central server system. In other words, the office action divorces the audiovisual content of a game from the game software, but the claimed example requires that each of the plurality of wagering games include audiovisual content *and* game software for generating a random event. Neither Harkham nor Cannon discloses offering wagering games including game software for generating a random event on a central server system.

Claims 1, 10, and 66 have been amended to call for providing, at the gaming machine, an award for a winning outcome of the random event for the first of the wagering games, and claim 31 has been amended to call for a controller programmed to cause an award for a winning outcome of the random event for the first of the wagering games to be provided at the gaming machine. Neither Harkham nor Cannon discloses providing, ***at the gaming machine***, an award for a winning outcome of the random event for the first wagering game, wherein the first wagering game is offered on a central server system and includes audiovisual content and game software for generating a random event, and wherein the audiovisual includes computer-generated image and animation data representing the random event. Even if Harkham's "virtual slot machine" were to correspond to the claimed wagering game offered on a central server system, Harkham does not teach providing at a gaming machine an award for a winning outcome of the random event for the virtual slot machine. It would be nonsensical to provide an award received by a virtual slot machine on another physical slot machine and Harkham does not purport to reach this result. Cannon's "voyeur" embodiment in which players at a gaming

machine can ***watch*** another player's game of chance, Cannon does not disclose providing, at the gaming machine, an award for a winning outcome of a random event for the game being watched.

Regarding claim 6, Harkham does not disclose downloading the audiovisual content for the second of the wagering games from the central server system to the gaming machine, and wherein the conducting the second of the wagering games includes executing the game software at the central server system. It should be noted that the "second of the wagering games" is also presented at the computing device (see claim 1). Harkham does not disclose both presenting a second wagering game offered on a central server system at a ***computing device*** and downloading the audiovisual content for that second wagering game to the ***gaming machine***, wherein the second wagering game includes audiovisual content and game software for generating a random event, the audiovisual content including computer-generated image and animation data representing the random event. Claim 6 has been amended to include wherein the configuring includes configuring the gaming machine to conduct the basic version of the at least one of the wagering games, wherein the at least one of the wagering games is the second of the wagering games. This element is not found in Harkham or Cannon.

Regarding claim 7, Harkham does not disclose downloading the audiovisual content and the game software for the first of the wagering games from the central server system to the gaming machine, wherein the conducting the first of the wagering games includes displaying the audiovisual content and executing at least a substantial portion of the game software at the gaming machine. The office action concedes that Harkham does not disclose downloading the game software for the first wagering game from the central server system to the gaming machine, but alleges such would be obvious to one looking to reduce computing load on the central server. Applicants respectfully disagree (see, for example, claim 9, which recites that the gaming machine is free of a game engine for executing the game software). An aspect of Applicants' disclosure is to efficiently integrate casino gaming and non-casino interactive gaming over a ***reconfigurable*** computer network. According to various aspects, the reconfigurable computer network offers the flexibility to allow either the audiovisual content or the game software or both to be executed locally on a gaming machine or a computing device or remotely via a central server or both locally and remotely. Moreover, the flexible reconfigurable aspects according to Applicants' specification further permit configuration of basic and enhanced versions of the

wagering games based upon where the game software is executed (either locally, remotely, or both locally and remotely).

Regarding claim 11, the office action alleges that dealing cards or spinning a wheel in Harkham corresponds to the claimed "generating a random event." Applicants disagree. The first wagering game includes **game software for generating a random event** (see claim 10), and dealing cards or spinning wheels does not correspond to game software for generating a random event. To further clarify that the random event is generated automatically, claim 11 has been amended to recite that the random event for the first wagering game is generated automatically.

Regarding claim 21, the office action cites two different embodiments in Harkham (the audio/video transmission of a card game table and a virtual slot machine) to allege that Harkham discloses downloading the audiovisual content for the second wagering game from the central server system to the computing device, and wherein the conducting the second of the wagering games via the player-operated computing device includes displaying the audiovisual content for the second wagering game at the computing device and executing the game software for the second wagering game at the central server system. Even assuming it were proper to combine clearly different embodiments, the combination must at a minimum disclose the claimed combination, which it does not here. If transmitting audio/video feed of a live card game were to correspond to the claimed audiovisual content to a computing device, Harkham would still fail to disclose executing the game software for the live card game (because there simply is none) at the central server system. If simulating a virtual slot machine on a simulation computer were to correspond to the claimed executing game software at the central server system, then what would correspond to the claimed downloading the audiovisual content for the virtual slot machine from the central server system to the computing device? The proposed combination here fails because the live card game has no game software and the virtual slot machine embodiment does not download audiovisual content for the slot game to a computing device and execute the slot game software at a central server.

Claims 19, 24-30, 32-35, 39-51, 64, 67, and 71-72 were rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Harkham in view of Cannon and further in view of Larose. These dependent claims are patentable for at least the reasons given above regarding the respective independent claims from which they depend. As an initial matter, Applicants note

that many of the rejections of these claims do not rely on Larose or even cite to Larose, leaving it unclear as to whether the rejection is based on the combination of Harkham in view of Cannon only or, if not, where in Larose the element(s) missing in the Harkham-Cannon combination can be found.

Generally, Larose is directed to an adaptive software installation process supporting multiple layers of security-related attributes. Larose describes a software protection scheme whereby additional functionality is released to the user when the user has paid for a license to use the additional functionality. *See* Paragraphs 53-55. A software developer develops different versions of a software product (e.g., a demo version and a full version) on a development PC 200, and downloads the software containing all versions to an execution PC 250. Larose, Paragraph 66. The executable files are installed and executed *locally* on the execution PC 250. Paragraphs 61 & 84. Nothing in Larose suggests that portions of the software can be conducted at the development PC 200.

By contrast, exemplary reconfigurable aspects disclosed in Applicants' specification configure a gaming machine, computing device, or central server system to conduct a basic or enhanced version of a wagering game based on where the game software is executed (e.g., locally at the gaming machine/computing device or remotely at the central server system, or both locally and remotely). *See, e.g.,* Paragraphs 30-31 of Applicants' Specification. In contrast to Larose, the decision as to how to configure a local device or remote server to conduct a basic or enhanced version is based on where the game software is executed, among other considerations. The security aspects taught in Larose would provide no motivation to a person of ordinary skill in the art to reconfigure a local device or remote server to conduct a basic or enhanced version based on where the game software is executed. Larose clearly teaches that the software program is developed on the development PC and then executed locally on the execution PC based on whether the user has paid for a license to use the enhanced software functions.

Thus, as in claim 24, Larose does not disclose or suggest wherein at least one of the wagering games includes a basic version that is conducted over the reconfigurable computer network at the central server system. The software program disclosed in Larose is executed locally on the execution PC.

Regarding claims 25 and 26, which recites wherein the conducting the first of the wagering games via a player-operated gaming machine includes playing the basic version over

the computer network using JavaScript or other language and wherein the conducting the second of the wagering games via the player-operated computing device includes playing the basic version using JavaScript or other language, Larose discloses executing the game program locally on the execution PC, not over a computer network.

Regarding claim 30, which recites wherein at least one of the wagering games includes a basic version and an enhanced version, the enhanced version having upgraded audiovisual content relative to the basic version, wherein when the basic version is conducted via one of the computing device and the gaming machine, the basic version is played using JavaScript or other language, and wherein when the enhanced version is conducted via one of the computing device and the gaming machine, the upgraded audiovisual content is downloaded to and stored locally on the one of the computing device and the gaming machine, Larose does not disclose playing a basic version of at least one wagering game using JavaScript or other language. Larose discloses a Windows-based software development environment (Paragraphs 52, 59, 71-74, 86) in which program components are compiled into machine-executable object code, which is unlike a scripting language such as JavaScript.

Regarding claim 35, which recites wherein the computing device includes a security key enabling the computing device to be linked to the central server system by the Internet, the office action cites page 2, lines 1-15 of Harkham, but this passage does not disclose a computing device including a security key enabling the computing device to be linked to the central server system (i.e., on which a plurality of wagering games are offered) by the Internet. Swiping the smart card does not enable the user's PC or the game center to be linked to a central server system on which a plurality of wagering games are offered by the Internet. The "web site" referred to in Harkham does not offer a plurality of games. Moreover, a smart card does not correspond to a security key stored on a computing device. The smart card implementation described at page 2 is clearly directed to enabling the player to make purchases, not to be linked to a central server system by the Internet, wherein the central server system offers a plurality of wagering games.

Regarding claim 40, which recites wherein the central server system executes the audiovisual content for the second wagering game and the game software for the second wagering game, again, the "simulation computer" that simulates a virtual slot machine in Harkham does not executed the audiovisual content and game software for that virtual slot machine for a wagering game conducted on a player-operated computing device. The office

action relies on three distinct and disparate embodiments in Harkham for this rejection, but it results in a nonsensical system in which a simulation computer that simulates a virtual slot machine executes, according to the office action, the audiovisual content and game software for a *second* wagering game (what corresponds to the *first* gaming machine and where would it be conducted via the player-operated gaming machine in the virtual slot machine embodiment in Harkham?) offered by the central server system and accessed by a computing device.

Regarding claim 41, which recites wherein the central server system executes the game software for the second wagering game, and wherein the computing device receives the audiovisual content for the second wagering game from the central server system and stores the audiovisual content for the second wagering game locally, claim 48, which recites wherein the computing device receives the upgraded audiovisual content from the central server system and stores the upgraded audiovisual content locally, once again the office action cites two distinct and disparate embodiments in Harkham, which does not suggest they can be combined in the manner asserted by the office action. The office action combines the live-action video feed from the card-table embodiment in Harkham with the virtual slot machine embodiment described on page 15. This results in a nonsensical system. The virtual slot machine's audiovisual content would not correspond with the live-action video feed from the live card table. Applicant respectfully submits that it is improper to combine these disparate embodiments, a pattern throughout the office action, when the reference itself provides no motivation or teaching for making the combination or where, particularly here, the combination would result in a nonsensical or inoperable system. The *second* wagering game (accessed by a computing device) in claim 41 is offered on the central server system along with a *first* wagering game (conducted via a gaming machine), and the game software for the second wagering game is executed by the central server system but the audiovisual content is stored locally at the computing device. If the "virtual simulation computer" is what the office action contends corresponds to a central server system, where, for example, does Harkham disclose a first wagering game conducted via a gaming machine that is offered by the virtual simulation computer? Where Harkham disclose that this same virtual simulation computer offers a second wagering game that is accessed by a computing device that receives the audiovisual content for the second wagering game and stores it locally? The virtual simulation computer simulates **a** virtual slot machine (page 15, line 20). There is nothing in Harkham, even if the virtual simulation computer were to correspond to the

claimed central server system, which it does not, that discloses that the virtual simulation computer offers any more than one virtual slot machine.

Regarding claim 42, which recites a web site posting the plurality of wagering games and operated by the central server system, the office action once again cites two disparate and distinct embodiments and combines them in ways that Harkham did not contemplate nor teach. The "web site" referenced on page 2 is for receiving credit card information on a smart card carried by the player. Nothing in page 2 suggests that this "web site" posts a plurality of wagering games and operated by the central server system, which offers the plurality of wagering games. Then, the office action alleges that the "Internet front end server 202" on page 5, lines 14-16 posts a plurality of wagering games and offers a plurality of wagering games. The "web site" and the "Internet front end server 202" are mentioned in two completely distinct embodiments of Harkham and even their combination fails to disclose the subject matter of claim 42. The Internet front end server 202 is for verifying the user and connecting the user to the *hotel central server 204*. Harkham nowhere suggests that the Internet front end server 202 or the "web site" offers a plurality of wagering games (one of which is conducted via a gaming machine and another of which is accessed by a computing device) that are posted on a web site that is also operated by the Internet front end server.

Regarding claim 43, which recites wherein the gaming machine is free of a game engine for executing the game software, the office action alleges that the virtual slot machine can be played on televisions in a user's hotel room. A television is not a gaming machine, as that term is understood by those ordinarily skilled in the art to which Applicants' invention pertains. Moreover, Harkham discloses on page 5, lines 21-26 that hotel patrons can access the hotel central server 204 to play "slot machines" from their hotel rooms. On page 15, Harkham clearly distinguishes between "slot machines" and a "virtual slot machine."

Regarding claim 49, which recites, wherein the gaming machines receive the upgraded audiovisual content from the central server system and store the upgraded audiovisual content locally, the office action asserts that Harkham teaches a gaming machine, which is a computing device. But claim 31, from which claim 49 depends, recites a "player-operated computing device *remote from any land-based casino*."

Claims 50, 67-71 also relate to the reconfigurable aspects of the local devices and remote server to conduct basic or enhanced versions of wagering games offered by the remote server

based on where the game software is executed. For at least the same reasons given above regarding claim 31 and regarding Larose's security teachings, claims 50 and 67-71 are believed to be patentable over the cited art.

Regarding claim 72, the office action alleges that this claim recites a duplication of structure. Applicants respectfully disagree and request reconsideration thereof. In claim 72, the second gaming machine is "free of a game engine for executing the game software," but this claim element does not necessarily apply to the first gaming machine recited in claim 66. Second, a third wagering game is conducted via the second gaming machine wherein the audiovisual content for the third wagering game is presented at the second gaming machine and the game software is executed at the central server system. These elements do not necessarily apply to the first and second wagering games recited in claim 66.

Regarding new claims 73-82, these claims include further elements not taught or suggested in the applied references, and are believed to be patentable thereover.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and such action is earnestly solicited.

A Request for Continued Examination and a Petition for One Month Extension of Time and associated fees are submitted concurrently herewith. It is believed that no additional fees are presently due; however, should any additional fees be required (except for payment of the issue fee), the Commissioner is authorized to deduct the fees from Deposit Account No. 50-4181 (247079-125USPT) for any fees inadvertently omitted which may be necessary now or during the pendency of this application, except for the issue fee.

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